

**TOWN OF NEWINGTON
CONSERVATION COMMISSION**

December 14, 2021

MEETING MINUTES

I. CALL TO ORDER

Chairman Sadil called the meeting to order at 7:03 p.m.

II. ROLL CALL

John Bachand
John Casasanta
Bernadette Conway
Alan Paskewich
Andreas Sadil
Jeff Wagner

Also present
Renata Bertotti, Town Planner
Erik Hinckley, Inland Wetland Agent
Susan Gibbon, Recording Secretary

Chairman Sadil: Point of order, Commissioner Conway will be seated for Commissioner Ancona. Point of order, Mr. Hinckley, has an alternate been appointed for Mr. Lavariere? Is there any word as far as an appointment?

Mr. Hinckley: Not at this time.

Chairman Sadil: Ok.

Mr. Hinckley: As soon as we know, I'll let the body know.

Chairman Sadil: Ok. Thank you. Moving on to Section III. Election of Officers. A. Chairman.

III. ELECTION OF OFFICERS

A. Chairman

Chairman Sadil: Do I have any nominations for Chairman?

Commissioner Paskewich: Yes, Commissioner Paskewich here Chairman Sadil. I'd like to renominate you in your ah...for another term. You have been exemplary in proceeding with these meetings at all levels and being fair with the applicants and to all commissioners and speaking to all topics as individuals. I can speak to that myself, so that is what I would like to proceed with.

Commissioner Bachand: I'll second it, John Bachand.

Chairman Sadil: Thank you. I will first accept. Thank you for those kind words
Commissioner Paskewich. I accept. Mr. Hinckley, do we have to call the roll or can we use a voice vote for this?

Mr. Hinckley: Either way is fine. You should probably verify and just ask a couple more times for nominations and then you can take your vote.

Chairman Sadil: Are there any other nominations? I see none. We shall proceed. Ms. Gibbon, please call the roll. We have a motion in play, seconded by Commissioner Bachand. Please call the roll.

S. Gibbon: Commissioner Bachand.

Commissioner Bachand: Yes.

S. Gibbon: Commissioner Casasanta.

Commissioner Casasanta: Yes.

S. Gibbon: Commissioner Conway.

Commissioner Conway: Yes.

S. Gibbon: Commissioner Paskewich.

Commissioner Paskewich: Yes.

S. Gibbon: Chairman Sadil.

Chairman Sadil: Yes.

S. Gibbon: Commissioner Wagner.

Commissioner Wagner: Yes.

Chairman Sadil: All right. Thank you for your vote of confidence. I appreciate that.

B. Vice-Chairman

Chairman Sadil: Moving on to the office of Vice-Chairman. Do I have any nominations?

Commissioner Paskewich: Yes. Commissioner Paskewich here. I'd like to renominate the current one, Commissioner Wagner. First of all he's done very well even though he's new on the commission and taking on the vice chair position. I think the vice chair should proceed for another term in administration capacity because it takes more than one term to learn the proceedings here as I've observed over ten years on this commission as a member. To actually take over when the chairman may not be present for some reason and then proceed into that position possibly in the future. It takes more than one term to learn this finite part of this conservation commission.

Chairman Sadil: Ok, so moved by Commissioner Paskewich. Mr. Wagner, do you accept the nomination.

Commissioner Wagner: Yes, and thank you for those kind words.

Chairman Sadil: Um...any other nominations for vice chairman?

Commissioner Conway: This is Commissioner Conway, I second Commissioner Paskewich's motion.

Chairman Sadil: Ok, thank you. Moved by Commissioner Paskewich, seconded by Commissioner Conway. Ms. Gibbon, please call the roll.

S. Gibbon: Commissioner Bachand.

Commissioner Bachand: Yes.

S. Gibbon: Commissioner Casasanta.

Commissioner Casasanta: Yes.

S. Gibbon: Commissioner Conway.

Commissioner Conway: Yes.

S. Gibbon: Commissioner Paskewich.

Commissioner Paskewich: Yes.

S. Gibbon: Chairman Sadil.

Chairman Sadil: Yes.

S. Gibbon: Commissioner Wagner.

Commissioner Wagner: Yes.

Chairman Sadil: Congratulations Commissioner Wagner.

Commissioner Wagner: Thank you. Thank you everyone for voting for me.

Chairman Sadil: Ok, moving on Item C, election of a secretary.

C. Secretary

Chairman Sadil: Do we have any nominations for a secretary? I personally would like to nominate John Bachand for secretary, if he accepts. I think he's been quite active on the commission and I think he's ready for a more expanded role. I nominate you Commissioner Bachand for secretary. Do you accept?

Commissioner Bachand: If I may, I think I decline at the moment. I'm grateful for your confidence, but I was going to nominate Commissioner Paskewich. He seems pretty on the ball on that stuff and I'm not as confident that I would be able to handle that to be honest with you.

Chairman Sadil: Ok, it's declined. So, Commissioner Paskewich, do you accept Commissioner Bachand's nomination?

Commissioner Paskewich: I thank you for the opportunity, but I am also going to decline. After ten years of being on this commission, I've discovered that I'm more....my forte is of a research person on specific items. I'd like to move on and nominate someone else. I would like to nominate John Casasanta.

Chairman Sadil: Commissioner Casasanta, do you accept the nomination for secretary?

Commissioner Casasanta: Well, being that there's not too many more commissioners other than me, I will accept.

Chairman Sadil: Ok.

Commissioner Casasanta: I don't want to run into a problem where we ran out of commissioners. I will graciously accept and I appreciate the commissions confidence in me.

Chairman Sadil: All right, if there are no other nominations, do I have a second for Commissioner Casasanta for secretary?

Commissioner Wagner: Commissioner Wagner, I second.

Commissioner Conway: I second that motion.

Chairman Sadil: Seconded by Commissioner Wagner. Ms. Gibbon, please call the roll.

S. Gibbon: Commissioner Bachand.

Commissioner Bachand: Yes.

S. Gibbon: Commissioner Casasanta.

Commissioner Casasanta Yes.

S. Gibbon: Commissioner Conway.

Commissioner Conway: Yes.

S. Gibbon: Commissioner Paskewich.

Commissioner Paskewich: Yes.

S. Gibbon: Chairman Sadil.

Chairman Sadil: Yes.

S. Gibbon: Commissioner Wagner.

Commissioner Wagner: Yes.

Chairman Sadil: The vote is unanimous, congratulations Mr. Secretary Casasanta.

Commissioner Casasanta: Thank you. Thank you everyone, I appreciate it, it's an honor.

Chairman Sadil: All right, moving on to Item IV. Set Meeting Dates for 2022.

IV. SET MEETING DATES FOR 2022

Chairman Sadil: It was on the agenda, sent out by Eva. Are there any comments on the dates or the alternate dates?

Mr. Hinckley: We did verify and go through and verify for all the holidays we could. For the Jewish holidays in the fall and other things.

Chairman Sadil: Ok. May I have a motion to accept the proposed meeting dates for 2022.

Commissioner Bachand; I make a motion to accept the meeting dates.

Chairman Sadil: Motion by Commissioner Bachand. May I have a second?

Commissioner Casasanta: I'll second that.

Commissioner Paskewich: I second. This is Commissioner Paskewich.

Chairman Sadil: Second by Commissioner Paskewich. All in favor? Voice vote.

Commissioners: Aye.

Chairman Sadil: Opposed? None. Abstentions? It's unanimous. Thank you. Moving on to Item V. Public Participation on Non-Agenda Items.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (each speaker limited to 2 minutes)

Chairman Sadil: Renata, is there anyone on the line wishing to speak? I believe we have someone waiting.

Ms. Bertotti: Yes, Mr. Chairman. We have six attendees and one with a raised hand. Mr. Horrigan can you please unmute yourself.

Mr. Horrigan: Can you hear me now?

Chairman Sadil: Yes, please state your name and address for the record please.

David Horrigan, 30 Candlewick Drive: I am speaking tonight to put into the record a summary of the improper deliberations that occurred at your meeting on November 16th regarding the Culver

Street application. I, and many of my neighbors, were stunned by the complete disregard of your own rules during the deliberations. You were give explicit instructions from Erik, Attorney Ancona and Renata no less than four times during the discussion. Each time they warned the commission that the public hearing was closed and there should not be input from anybody outside the commission at that point. Quoting Erik, "the public hearing is closed, so there really should not be input from anybody at this point." Now I quote Attorney Ancona: "you need to focus on the application in front of you, the record before you and that's it." Requoting Attorney Ancona: "Again, you must look at the record before you and move forward one way or the other." Quoting Erik later in the meeting: "the public hearing is closed, you are at the deliberation stage, so whatever action you guys take is the action you take." Quoting Renata late in the meeting: "I would caution you against engaging in further discussion." I hope you get my drift by now. It became obvious from sitting here that deliberations were headed to a no vote on the application. Then, despite such clear instructions to the contrary, and completely out of the blue, the applicant began to testify to the merits of the site plan. This testimony and exchange between the applicant and the commissioners went on for, I don't know exactly how long, but it fills five entire pages of your minutes. So, in conclusion, your actions on the application were at best improper, and possibly illegal. We, as residents, have been astounded by the way this commission and the TPZ has disregarded its own rules and gave much more latitude to a developer from Pittsburgh than they did to the taxpaying residents of Newington. The entire process has been a travesty and we're not going to be silenced. Thank you.

Chairman Sadil: Ok, Ms. Bertotti, is there anyone else on the line wishing to speak?

Ms. Bertotti: I do not see anybody else at this point with their hand raised Mr. Chair.

Chairman Sadil: Ok. Moving on to Item VI. Acceptance of Minutes.

VI. ACCEPTANCE OF MINUTES

Chairman Sadil: First item, Newington Conservation Commission Meeting Minutes from October 19, 2021. Are there any additions or corrections from the Commission?

Commissioner Paskewich: Yes, Chairman Sadil, Commissioner Paskewich here.

Chairman Sadil: Go ahead.

Commissioner Paskewich: I refer to page 3, at the top of the page, I express myself, Commissioner Paskewich and at the bottom sentence it states "ok, well the second part then would be the title of this article is record setting breeding season." Which breeding means, it bread, to eat. It should be actually written as "breeding season". B-r-e-e-d-i-n-g. So just an edit of spelling and word definition.

Chairman Sadil: Thank you. Anything else Commissioner Paskewich?

Commissioner Paskewich: No, not at this time.

Chairman Sadil: Any other commissioners at this time have additions or corrections to the October 19, 2021 minutes. Ok. I see no hands raised, so may I have a motion to accept the Newington Conservation Commissioner Meeting minutes from October 19, 2021, as amended.

Commissioner Conway: So moved.

Chairman Sadil: Moved by Commissioner Conway. May I have a second?

Commissioner Casasanta: I second that.

Chairman Sadil: Second by Commissioner Casasanta. Voice vote. All in favor.

Commissioners: Aye.

Chairman Sadil: Opposed? Abstentions? Minutes passed. Moving on to the next set of minutes of the Newington Conservation Commission of November 16, 2021. Are there any additions or corrections from the commission? Seeing none, may I have a motion to accept the meeting minutes of the Newington Conservation Commission of November 16, 2021 as written.

Commissioner Conway: So moved.

Chairman Sadil: Moved by Commissioner Conway. May I have a second?

Commissioner Paskewich: Second, Commissioner Paskewich.

Chairman Sadil: Second by Commissioner Paskewich. All in favor.

Commissioners: Aye.

Chairman Sadil: Ok, moving on the Item VII, New Business, Item A. Extension of Application #2016-17 at 705 & 711 711 North Mountain Road for MDC Construction Activities, Contact: Shawn Callaghan.

VII. NEW BUSINESS

A. Extension of Application #2016-17 at 705 & 711 North Mountain Road for MDC Construction Activities, Contact: Shawn Callaghan

Chairman Sadil: Is the Mr. Callaghan present?

Mr. Hinckley: Yes he is Mr. Chairman. If I may preface this just slightly. This was an application that was approved obviously in 2016 by the commission. There are a number of members that weren't on the commission at that time. So, I asked the contact, Mr. Callaghan, to come here tonight to just give a brief overview of the project for those or you that don't know it or don't remember it and the reasons for the extension. He's here to just make a brief presentation.

Chairman Sadil: Thank you. Could the applicant step forward.

Mr. Callaghan: Hello. Yes, do you want us to share screens this evening?

Mr. Hinckley: You can share your screens, yes.

Mr. Callaghan: Ok. All right, how is everyone tonight. Thank you for having us.

Chairman Sadil: Name and address and company contact for the record please.

Mr. Callaghan: Sure. My name is Shawn Callaghan and I'm with FHI Studios and I'm contracted from AECom and we also have a representative with AECom this evening tonight, Jacob Maybe [sp?] and we are representing the MDC, the Metropolitan District Commission. So you guys approved an application, and just for reference there is zero wetlands impact with this, it is just in the upland review area. This is associated with the south conveyance tunnel project, I'm sure you've heard of that. So I want to tee up Jacob, he is the one who will actually share a screen with you and show you a couple of figures and just kind of give you guys a run down on the project.

Mr. Maybe: Thank you Shawn. Can everyone hear me? This is Jacob Maybe.

Mr. Hinckley: Yes, we can.

Mr. Maybe: This is Jacob Maybe with AECom on behalf of the MDC. I will share my screen. Is everyone able to see my screen?

Chairman Sadil: Yes.

Mr. Maybe: Ok, so what I have on the screen is the overview of the south Hartford conveyance and storage tunnel that the MDC has been working on. This project is a larger project that

is occurring in Hartford and West Hartford to reduce combined sewer overflows and sanitary sewer overflows in these areas. The project we are currently working on we are referring to as Contract 5. These are smaller shafts that feed into the larger tunnel, they feed the overflows into the larger tunnel. I will scroll down and show you the two areas we are currently working on. It's the two shafts in Hartford and West Hartford, these two red lines that feed into this larger tunnel. The subject of this permit application was this other portion of the work that the contractor is currently working on. The NTS High Outlet Relief Structure project is located on the subject property in Newington. Just a quick update on the current progress of this project. The contractor has been working on New Britain Avenue and Arlington Street conduits in Hartford and West Hartford; that is this red line here and this red line here. The Hillcrest Avenue that conduit has been completed and they are finishing up restoration work. They are currently scheduled for substantial completion of the overall project in August of 2022, with field completion scheduled for October of 2022. The NTS High Outlet Relief Structure, which is the subject of the permit application, they are currently scheduled in the spring of 2022 to start working in this area. So, here is a site plan that was included in the original permit application for 711 and 705 North Mountain Road. This area is going to be used for construction staging and access road to the NTS High Outlet Relief Structure, which is located in West Hartford and shown here. So the staging area and construction access road on the Newington side is shown here, and the wetland delineation boundary is shown by this green line as well as the 100 foot upland review line. When the work is completed the contractor is going to restore the area which will include paving and leaving this stabilized construction entrance in place.

Chairman Sadil: So it appears that only this gravel area, the stabilized area, is the only encroachment that is in the upland review area. Correct?

Mr. Maybe: Correct.

Chairman Sadil: And will that remain afterwards or will that be reseeded once the project is complete?

Mr. Maybe: The stabilized construction access will remain in place which will permit access to the overflow structure that is being upgraded in West Hartford which is part of this project.

Mr. Hinckley: Just to be clear, the permit does expire later this month so that is the reason for the extension request. I'm sure they can discuss any budgetary items or whatever as to why they haven't started the project at the moment.

Mr. Callaghan: Yeah, it would be good to add. Work as not begun here at this site yet. Erik hit the nail on the head, it's funding that slowed the project down a bit from the original construction schedule, so now they are looking at mobilization in and around February to get ready for the spring to actually begin work.

Chairman Sadil: All right. Are there any other questions from commissioners at this time?

Commissioner Bachand: Mr. Chairman. Just out of curiosity, what is the high outlet relief structure do?

Mr. Maybe: So the high outlet relief structure will divert any overflows during bad weather, it will divert it to that larger tunnel that's being constructed in south Hartford.

Commissioner Bachand: So this is just a tunnel that would connect our local drains to the main tunnel.

Tom [inaudible] with AEcom: I just want to correct something. This is the high outlet relief structure so actually the flows currently over bad weather discharge here into a brook here. What we are doing is improving the situation, we are increasing the height of that so there will be less discharges into that stream.

Commissioner Bachand: So there is no direct connection to the main tunnel?

Tom: Not at this location, we do down further on Hillcrest. There are other leaders that will basically discharge into the tunnel, but once the tunnel is filled and the flows keep increasing, this is like a fail safe kind of level, it's a higher level so that it prevents flooding into homes.

Commissioner Bachand: And Newington's trunk sewer is somewhere close in this proximity. Is that correct?

Tom: Yeah, it's this line here, I don't know if you can actually see my...

Mr. Hinckley: Yeah, I can see it.

Commissioner Bachand: So is that what is being protected by the overflow?

Tom: Correct.

Commissioner Bachand: Or is this strictly storm water?

Tom: No, this is waste water, it's a combined sewer. Yeah, waste water. So in rain events you get sump pumps, infiltration into the sewer, so the flows significantly increase. So this structure that exists currently [inaudible]

Commissioner Bachand; How often would you say it has to relief or going to relief.

Tom: We've done modeling, or actually another firm has done modeling on it, but overall with the implementation of this project, overall the system was probably thirty or forty times per year. Not necessarily at this one location, but throughout the system we're working on. But with the improvements, it's only planned to be activated on the average once per year. So it is significantly improving the overflows that are happening in this area.

Commissioner Bachand: Ok. Thank you.

Commissioner Paskewich: Commissioner Paskewich here.

Chairman Sadil: Ok, go ahead.

Commissioner Paskewich: You said relief or release. What is being released?

Tom: Well, it's relieving. So this existing sanitary sewer pipe, this 42" pipe that's going down Hillcrest, during high flows and wet weather events, it's at capacity.

Commissioner Paskewich: Is that a combination of storm water and sewer?

Tom: I don't believe you have combined sewers in Newington. I think it's....

Mr. Hinckley: We do not.

Tom: Yeah, I believe it's sanitary sewer, but then you get infiltration, meaning groundwater gets into the sewer system or you have, peoples have roof leaders connected to the sewer system or you have people with sump pumps; so you get water, additional water that gets into the sewer system during rain events.

Commissioner Paskewich: And that's what causes the release.

Tom: Right and then you get the flow that are, you know, exceeds the capacity of the pipe.

Commissioner Paskewich: And where does that discharge go to again? Please.

Tom: There's a brook, I'm not sure of the name of it. Jake, do you know off hand?

Jake: It's an intermittent stream that feeds the Piper Brook.

Mr. Hinckley: Correct.

Tom: And that currently exists, and it's probably existed for 30 years or 50 years or something. But what we're doing; our improvements we're making is going to reduce the amount of times that actually occurs.

Commissioner Paskewich: Ok, I see the crux of it now. Thank you.

Chairman Sadil: Any other questions from commissioners? I'm not seeing any. So, there are no further questions, so we will table this and revisit this under old business later this evening.

Tom: All right, thank you very much.

Mr. Callaghan: Thank you very much for your time. Have a good evening.

Chairman Sadil: Ok, moving on to Item VIII, Old Business, Item A. Application #2021-27, For Construction Activities In The Regulated Area 85 Reservoir Road, Applicant: Anna Reynolds Building Committee, Owner: Town Of Newington, Contact: Stephen Woods.

VIII. OLD BUSINESS

A. Application #2021-27, For Construction Activities In The Regulated Area 85 Reservoir Road, Applicant: Anna Reynolds Building Committee, Owner: Town Of Newington, Contact: Stephen Woods

Chairman Sadil: Is there anyone for this application present Mr. Hinckley?

Mr. Hinckley: I believe they have a couple of individuals here this evening if you have any further questions.

Chairman Sadil: Ok, let me see here. I have Mr. Demalt or Mr. Brennan White.

Mr. Hinckley: He's here, yes.

Chairman Sadil: Thank you for joining, I appreciate that. I have no further questions. There was quite a detailed presentation given at the November meeting. I will throw it open right away to the commissioners if they have any questions regarding Application 2021-27.

Commissioner Bachand: I'll just chime in that I do not as well.

Chairman Sadil: Thank you Commissioner Bachand, thank you.

Commissioner Paskewich: I do not as well, have any questions.

Chairman Sadil: Thank you.

Commissioner Wagner: I have no questions.

Chairman Sadil: Thank you. Commissioner Conway, we'll close with you. No further questions?

Commissioner Conway: I have no further questions. Thank you.

Chairman Sadil: Commissioner Casasanta.

Commissioner Casasanta: No further questions Mr. Chairman.

Chairman Sadil: Thank you. So, Mr. Hinckley, is the application complete?

Mr. Hinckley: It is.

Chairman Sadil: So shall we present the standard conditions. Mr. Secretary I'll proceed to you.

Secretary Casasanta: Ok. *Motion to approve application 2021-27, with the 10 standard conditions.* How much of this do I have to read Mr. Hinckley?

Mr. Hinckley: Typically with the standard conditions we don't read them, their posted. We only do it if we are adding anything.

Secretary Casasanta: Ok.

Chairman Sadil: So there's no add ons.

Mr. Hinckley: There are no add ons. I can scroll through the conditions for us just so we can all see them. They are the typical conditions we impose on...

Chairman Sadil: In our regulations.

Mr. Hinckley: In the regulations for all of our wetland applications.

Chairman Sadil: Ok, so moved by Secretary Casasanta. May I have a second?

Commissioner Paskewich: Second.

Chairman Sadil: Second by Commissioner Paskewich. Thank you. Final discussion. Seeing none, Ms. Gibbon, please call the roll.

S. Gibbon: Commissioner Bachand.

Commissioner Bachand: Yes.

S. Gibbon: Commissioner Casasanta.

Commissioner Casasanta: Yes.

S. Gibbon: Commissioner Conway.

Commissioner Conway: Yes.

S. Gibbon: Commissioner Paskewich.

Commissioner Paskewich: Yes.

S. Gibbon: Chairman Sadil.

Chairman Sadil: Yes.

S. Gibbon: Commissioner Wagner.

Commissioner Wagner: Yes.

Chairman Sadil: Motion passes unanimous. Thank you. Thank you Mr. White.

Mr. White: Thank you very much to the commission. Thank you.

Chairman Sadil: All right, moving on to Item B. Extension of Application #2016-17 at 705 & 711 North Mountain Road for MDC Construction Activities, Contact: Shawn Callaghan.

B. Extension of Application #2016-17 at 705 & 711 North Mountain Road for MDC Construction Activities, Contact: Shawn Callaghan

Chairman Sadil: Mr. Hinckley is the application complete?

Mr. Hinckley: The application is complete. And just so, this discussion has come up before, this is really by statute, unless you feel there's a significant change to the application, typically the extensions are granted. So, I leave you with that.

Chairman Sadil: Ok. So basically we don't read the conditions, we just vote for the extension. Correct?

Mr. Hinckley: Correct, and it is a five year extension as is the max allowable. I think there's a motion up there. Renata, can you advance the slide? There we go.

Chairman Sadil: We have the motion from the secretary for application 2021-27 for construction activities at 85 Reservoir Road...no, no, this is the wrong one. We just approved this one. This is the wrong application, this is for 2016-17.

Mr. Hinckley: Right, it's just to approve the extension.

Secretary Casasanta: Ok. Motion to Approve. *Move to approve the renewal/extension of permit 2016-17 for an additional five years pursuant to state statutes (§ 22a-42a).*

Commissioner Bachand: I second. This is John Bachand.

Chairman Sadil: Second by Commissioner Bachand. Ms. Gibbon, please call the roll.

S. Gibbon: Commissioner Bachand.

Commissioner Bachand: Yes.

S. Gibbon: Commissioner Casasanta.

Commissioner Casasanta: Yes.

S. Gibbon: Commissioner Conway.

Commissioner Conway: Yes.

S. Gibbon: Commissioner Paskewich.

Commissioner Paskewich: Yes.

S. Gibbon: Chairman Sadil.

Chairman Sadil: Yes.

S. Gibbon: Commissioner Wagner.

Commissioner Wagner: Yes.

Chairman Sadil: Motion passes unanimous. Thank you. Ok, moving on to Item IX, Public Participation on Non-Agenda Items.

IX. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS
(each speaker limited to 2 minutes)

Chairman Sadil: Renata, is there anyone on the line wishing to speak?

Ms. Bertotti: I do not see anyone with a raised hand.

Chairman Sadil: All right, moving on to Item X, Agent Communications.

X. COMMUNICATIONS AND REPORTS

A. Agent Communications

Chairman Sadil: Mr. Hinckley do you have anything to report this month?

Mr. Hinckley: Yes, I'm currently working with the town engineer and a local condominium complex that has a beaver issue. They have a nice dam network and it's raised the water at least a foot

to a foot and a half. The condominium complex is going to have the beaver trapped and removed and in discussion with the Chairman, he's going to allow me to do an agent approval for them to remove the dam. The town engineer chimed in on that because it's close to a state road intersection that can flood. So, he's concerned about flooding and icing conditions in the winter if it happens. So, we are going to try and expedite that and by agent approval I will allow them to remove the dam only. They are going to come forward with an overall maintenance plan for the brook that runs through the complex' property and that would be reviewed by you guys in the future. They may even do that sometime over the winter so they can prepare for spring, because they do have some material that's currently in that brook. I don't know how detailed they are going to get with cleaning it out, but the dam is a definite issue right now.

Chairman Sadil: So the beaver will be trapped at the owner's expense. Correct?

Mr. Hinckley: Yes, it will. They are hiring the trapper though the state program or through the licensed state trappers.

Chairman Sadil: And the actual removal of the dam, are they gonna just do that by hand? Is the homeowner, excuse me, property owner gonna remove that manually? What's it going to take to get those branches and logs out of the way. What means are they going to use?

Mr. Hinckley: Yeah they're...the intent is they're going to look at a couple of ways to do it. Either with a claw they can grab and pull some out for the...they're not going to go right up to the edge of the bank, but be able to, like a gradeall of something, get an arm in there and pull some of that out, or by hand. They are going to have to cross town property to get to that and that's where the town engineer is going to work with them creating a road to minimize the disturbance or whatever they need to do. To get there...to get to it from their own property is a lot farther away than from the town side. So we're going to look at a couple of options for that to minimize any impact or disturbance to the regulated area.

Commissioner Bachand: Did we mention the location that this is. I'm assuming it's...

Mr. Hinckley: It's...I believe it's Foxboro. Halloran & Willard

Commissioner Bachand: _____ Brook

Mr. Hinckley: Yup. Correct.

Commissioner Bachand: Thank you.

Mr. Hinckley: Not Foxboro, Robin Brook across the street. Sorry.

Chairman Sadil: So Mr. Hinckley how unusual is this for the town of Newington. How did this beaver migrate into that area? Has this happened before? Just out of curiosity.

Mr. Hinckley: Yes. Lot's of beaver problems in that area honestly. I've seen, since I've been here, five or six other incidents, easily. There's probably still some out there now that haven't been seen or trapped or there's been no complaints at the moment. There's some over in the Deming Young Farm area, there's also some on the other side of Willard, on the Foxboro side and on the town property in the park. So, they are around.

Commissioner: They are destructive too.

Commissioner Paskewich: Commissioner Paskewich, I'd like to speak to that.

Chairman Sadil: Go ahead.

Commissioner Paskewich: I had the opportunity to call DEEP a few weeks ago and they gave me a contact person who's part of the wildlife and biology in Connecticut. He's actually the furbearer

wildlife biologist. He called me today, it was a little late, but I was able to get some information from him and he said that this falls under a legislative report; research on all this. I sent it out to the chairman a little while ago via email to look into. It's under Connecticut General Statutes 2006 RPT. Nonetheless in the summary it states that DEEP has the authority to regulate the removal or destruction of beaver dams. It considers installation of a water control device at a culver or modification of a beaver dam to be a regulated wetland activity subject to the approval of the local inland wetlands commission. So, in synopsis of this, there was like five pages of this, but I'm bringing it down to a smaller bit that we can chew on here. If beavers live there and they are not trapped or any seem to move away as this process is going on they will, in fact, try to build another installation of themselves in a culvert which people should be aware of. In addition to that, if a dam is taken down people have to be cognitive of the fact if the water level is over...has already risen, or is going to be rising due to storms coming or more rainfall they have to be careful of how much of the dam they take down at a time. In layman's term not to go in there with a backhoe and take it all down, because it could influence the flood and if there's a storm coming obviously it could influence more of a flood because it's been an empowerment which is actually a dam built by a beaver. So people have to be aware of how they take this dam down and not just take it down completely, all in one fell swoop because it could be very hard to control the water at that point as it could go on to other parts of the property and also roads. I have another note here. The state itself may order...may impose a court order requiring a landowner to either remove a dam or allow the state to do so if the dam constitutes a nuisance. So there are other control factors and regulations within that and I'm sure the town engineer is aware of this by now. I decided to pass this on at this moment because I received this information this afternoon and that's what I have to offer.

Mr. Hinckley: Yes Alan, we are aware of not taking the dam down all at one time. They're gonna pull off, peel off, six to eight inches at a time over a period of days or whatever and let it flow through. The town engineer will also be involved in helping me oversee that. So we are aware of that. Actually, Newtown has developed some regulations which I think I forwarded to Chairman, about the taking down of beaver dams and I think they're along those lines as well. Other than that, I also want to remind you guys, I think we spoke about it before at the last meeting. Towards the end of January, we are going to have the Land Use Academy for all land use boards. It will be a class in the evening. Currently it's scheduled for in-person here at town hall with the land use boards and town council. So it will be conservation, TPZ, ZBA and town council. Obviously COVID has a bearing on this, but currently it's going to be in person, in the early evening and it's free. It's very good for everybody to get, especially since they're not doing the conservation certification currently at the moment. For those of you who have taken it, this just gives you basically a general overview of land boards and how they work, how you guys are supposed to act, you know, during meetings, how to run meetings, ex parte conversations, and all those things we've talked about in the past. You just get it from, you know, they try and help us protect ourselves and the towns from bad action and future lawsuits. That kind of stuff. I don't know if Renata wants to weigh in on this, she's kind of set this up for January 27th.

Ms. Bertotti: I just wanted to say to everybody, please mark this on your calendar. It's January 27th and it's going to be an evening meeting. We are looking at either 6:30 or 7 o'clock. This is done through UConn CLEAR land use academy. It is actually through the OPM certified agency to these commission trainings. So we scheduled that with them. We are privileged to actually grab them like this, because like Erik said, this is free training. So please do anything that you can to attend. We will try to do that in person. If it's not in person we're going to do it somehow in an online forum. But I felt that it would...I've always had my commissions do this in person before and it was incredibly effective and the feedback after this was very positive from the commissioners. So again, I'll just encourage you to attend that.

Commissioner Paskewich: It sounds like a well worth opportunity. Thank you.

Mr. Hinckley: That concludes my communications. Before we move on to Town Council, I know they have a council meeting tonight so they are not here. Ms. Budrejko is still one of our liaisons and I believe a new one has been appointed and I think it's Kim Radda; she will be the other conservation liaison going forward.

B. Town Council Liaisons Communications

Chairman Sadil: Ok, thank you for that. So moving on to Item C. Pond Life Research and Education.

C. Pond Life Research and Education

Chairman Sadil: Commissioner Paskewich do you have anything to report this month.

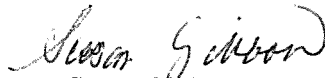
Commissioner Paskewich: Just what I reported on the beaver situation. That's my concentration this evening; what I reported. Thank you.

Chairman Sadil: Thank you. All right, so I believe this concludes our agenda. May I have a motion to adjourn?

XI. ADJOURNMENT

Motion to adjourn at 7:50 p.m. by Commissioner Conway. Seconded by Commissioner Bachand. Motion passed unanimously.

Respectfully submitted,



Susan Gibbon

Recording Secretary